

**BEFORE THE REAL ESTATE APPRAISER BOARD  
STATE OF OKLAHOMA**

In the Matter of DARRELL BROWN            )  
  )       Complaint #14-013  
Respondent.    )

**CONSENT ORDER FOR RESPONDENT DARRELL BROWN**

COMES NOW the Oklahoma Real Estate Appraiser Board (“OREAB” or “Board”), by and through the Prosecuting Attorney, Stephen McCaleb, and the Respondent DARRELL BROWN, and enter into this Consent Order pursuant to Oklahoma Statutes Title 59 §858-700, et seq. and Oklahoma Administrative Code 600:10-1-1, et seq. All sections of this order are incorporated together.

**AGREED FINDINGS OF FACT**

1. On or about January 23, 2013, Respondent was hired to complete a field review (the “review”), using the Fannie Mae 2000 form, for an appraisal that was completed on a property located at 1845 Anderson Lane, Sand Springs, Oklahoma (the “subject”). The effective date of the reviewed report was October 11, 2007.

**GROSS LIVING AREA ADJUSTMENTS**

2. Respondent makes approximately a Thirty Five Dollar and 00/100 (\$35.00) per square foot adjustment on comparables two and three. Respondent did not provide an explanation or support for the square footage adjustment in his report.

**ROOM COUNT ADJUSTMENTS**

3. The subject’s total room count is ten with four bedrooms and four baths.  
4. Respondent’s comparable one has a total room count of eight with three bedrooms and three baths. Respondent makes a positive Seven Thousand Five Hundred Dollar and 00/100 (\$7,500.00) to comparable one for the room count.

5. Respondent's comparable two has a total room count of eight with four bedrooms and three point one (3.1) baths. Respondent makes a positive Three Thousand Five Hundred Dollar and 00/100 (\$3,500.00) to comparable two for the room count.

6. Respondent's comparable three has a total room count of seven with four bedrooms and two point two (2.2) baths. Respondent makes a positive Seven Thousand Five Hundred Dollar and 00/100 (\$7,500.00) to comparable three for the room count.

7. Respondent's total room count adjustments are not consistent, supported, or explained.

### AGREED CONCLUSIONS OF LAW

1. That Respondent has violated 59 O.S. § 858-723(C)(6) via 59 O.S. §858- 726, in that Respondent violated:

A) Standard 3-1 thru 3-5 of the Uniform Standards of Professional Appraisal Practice. These include the sub sections of the referenced rules.

2. That Respondent has violated 59 O.S. § 858-723(C)(6): "Violation of any of the standards for the development or communication of real estate appraisals as provided in the Oklahoma Certified Real Estate Appraisers Act."

### CONSENT AGREEMENT

The Respondent, by affixing his signature hereto, acknowledges:

1. That Respondent has been advised to seek the advice of counsel prior to signing this document, and
2. That Respondent possesses the following rights among others:
  - a. the right to a formal fact finding hearing before a disciplinary panel of the Board;

- b. the right to a reasonable notice of said hearing;
- c. the right to be represented by counsel;
- d. the right to compel the testimony of witnesses;
- e. the right to cross-examine witnesses against her; and
- f. the right to obtain judicial review of the final decision of the Board.

3. The Respondent stipulates to the facts as set forth above and specifically waives his right to contest these findings in any subsequent proceedings before the Board and to appeal this matter to the District Court.

4. The Respondent consents to the entry of this Order affecting his professional practice of real estate appraising in the State of Oklahoma.

5. The Respondent agrees and consents that this Consent Order shall not be used by him for purposes of defending any other action initiated by the Board regardless of the date of the appraisal.

6. All other original allegations in this matter are dismissed.

**CONSENT ORDER TO BE ACCEPTED OR REJECTED BY THE BOARD**

It is hereby agreed between the parties that this Consent Order shall be presented to the Board with recommendation for approval of the Board at the next scheduled meeting of the Board. The Respondent understands that the Board is free to accept or reject this Consent Order and, if rejected by the Board, a formal hearing on the complaint may be held. If the Board does not accept the Consent Order, it shall be regarded as null and void. Admissions by Respondent in the Consent Order will not be regarded as evidence against him/her at the subsequent disciplinary hearing. Respondent will be free to defend himself/herself and no inferences will be made from their willingness to have entered this agreement. It is agreed that neither the

presentation of the Consent Order nor the Board's consideration of the Consent Order will be deemed to have unfairly or illegally prejudiced the Board or its individual members and therefore will not be grounds for precluding the Board or any individual Board member from further participation in proceedings related to the matters set forth in the Consent Order.

### **ORDER**

WHEREFORE, on the basis of the foregoing Agreed Findings of Fact and Agreed Conclusions of Law, it is ordered and that:

1. Respondent successfully completes one of the following corrective education courses within six (6) months of the date of this order:

Online: Residential Appraisal Review; or

Online: Reviewing Residential Appraisals;

2. Respondent is censured pursuant to 59 O.S. §858-723(A)(5); and

3. Respondent acknowledges that he understands that any modifications to the deadlines in paragraphs one and two of this section must be requested to the Board, in accordance with the Oklahoma Open Meetings Act, at a regularly scheduled Board meeting, and the Board's staff does not have the discretion to modify these terms.

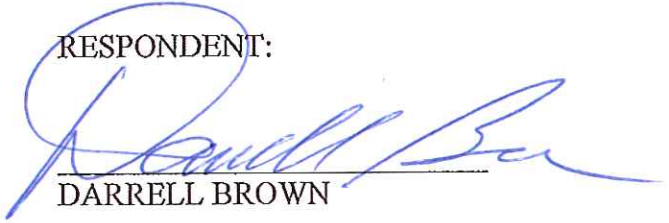
### **DISCLOSURE**

Pursuant to the Oklahoma Open Records Act, 51 O.S. §§24-A.1 – 24A.21, the signed original of this Consent Order shall remain in the custody of the Board as a public record and shall be made available for public inspection and copying upon request.

**FUTURE VIOLATIONS**

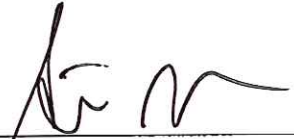
In the event the Respondent fails to comply with any of the terms and conditions of this Consent Order, Respondent will be suspended immediately until said terms and conditions are met.

RESPONDENT:

  
\_\_\_\_\_  
DARRELL BROWN

**CERTIFICATE OF BOARD PROSECUTING ATTORNEY**

I believe this Consent Order to be in the best interests of the Oklahoma Real Estate Appraiser Board, the State of Oklahoma and the Respondent with regard to the violations alleged in the formal Complaint.

  
\_\_\_\_\_  
STEPHEN MCCALED, OBA #15649  
Board Prosectuor  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma 73112

7-1-15  
\_\_\_\_\_  
DATE

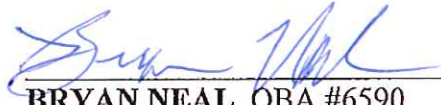
IT IS SO ORDERED on this 15<sup>th</sup> day of July, 2015.



  
\_\_\_\_\_  
ERIC SCHOEN, Board Secretary  
Oklahoma Real Estate Appraiser Board

**OKLAHOMA REAL ESTATE  
APPRAISER BOARD**

By:



**BRYAN NEAL, OBA #6590**

Assistant Attorney General

Attorney for the Board

**CERTIFICATE OF MAILING**

I, Ashley Snider, hereby certify that on the 15<sup>th</sup> day of July, 2015 a true and correct copy of the above and foregoing Notice of Continued Disciplinary Hearing was placed in the U.S. Mail, with postage pre-paid, by certified mail, return receipt requested to:

**Darrell E. Brown**  
8634 S. Peoria Avenue  
Tulsa, Oklahoma 74132

**7013 2250 0000 5046 2711**

and copies were forwarded to:

**Bryan Neal, Assistant Attorney General**  
OFFICE OF THE ATTORNEY GENERAL  
313 N.E. 21<sup>st</sup> Street  
Oklahoma City, OK 73105

**Stephen L. McCaleb**  
DERRYBERRY & NAIFEH  
4800 N. Lincoln Boulevard  
Oklahoma City, OK 73105



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ASHLEY SNIDER